

FILED

United States District Court

MIDDLE DISTRICT OF ALABAMA

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

In the Matter of the Search of

(Name, address or brief description of person or property to be searched)

An Express Mail package addressed to:

Traphouse Ent.

1226 Adams Ave.

Montgomery, AL 36104 bearing label

ED 618075031 US

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

CASE NUMBER: 2:06mj46-SRW

I, J. D. Tynan being duly sworn depose and say:I am a(n) United States Postal Inspector and have reason to believe

Official Title

that ☐ on the person of or ☒ on the premises known as (name, description and/or location)

An express mail package addressed to Traphouse Ent., 1226 Adams Ave., Montgomery, AL 36104 with the return address of Darius Woods, 11285 W. McKinley, Avondale, AZ 85323, bearing label ED 618075031 US.

in the Middle District of Alabama
there is now concealed a certain person or property, namely (describe the person or property)

controlled substances

which is (give alleged grounds for search and seizure under Rule 41(b) of the Federal Rules of Criminal Procedure)

contraband, the fruits of a crime or thing otherwise criminally possessed,

in violation of Title 21 United States Code, Section(s) 841(a)(1) and 843(b)
The facts to support the issuance of a Search Warrant are as follows:

See ATTACHMENT 1

Continued on the attached sheet and made a part hereof.

☒ Yes☐ No
J. D. Tynan
Signature of Affiant

Sworn to before me, and subscribed in my presence

MAY 10, 2006

Date

at MONTGOMERY, ALABAMA
City and State
SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE
Name and Title of Judicial Officer

[Signature]
Signature of Judicial Officer

ATTACHMENT 1

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

The undersigned, being duly sworn on oath, deposes and says:

1. I, James D. Tynan, have been a United States Postal Inspector over four years. I am currently assigned to the U.S. Postal Inspection Service Office in Montgomery, AL. I investigate incidents where the United States Mails are used for the purpose of transporting non-mailable matter, including marijuana, cocaine, heroin, methamphetamine, steroids and all other controlled substances in violation of Title 21, United States Code, Sections 841(a)(1) and 843(b), and substances mailed in violation of Title 18, United States Code, Section 1716. The following information has been obtained by me personally or has been provided to me by other law enforcement officers and postal employees.
2. Based on my training and experience, I know that the U.S. Mails are being used to transmit controlled substances and proceeds from the sale of controlled substances. On May 9, 2006, Postal Inspector London Warren from the Phoenix, Arizona, U.S. Post Office spoke with Postal Inspectors in Birmingham, Alabama. Inspector Warren informed the Birmingham Postal Inspectors that one piece of Express Mail was mailed to Traphouse Entertainment, 1226 Adams Ave., Montgomery, AL 36104. According to Inspector Warren the return address of 11285 W. McKinley, Avondale, AZ 85323 is not a valid address.
3. On May 10, 2006, I spoke with the mail carrier for 1226 Adams Ave., Montgomery, AL 36104. The carrier stated that this address normally does not receive a lot of mail; he noted there is not even a mail receptacle at the address. The carrier, nor myself, are ^{NOT JB} aware of any legitimate business operating out of the aforementioned address. A check with the City of Montgomery Business License and Tax Department revealed that Traphouse Entertainment is not listed as a business. Based on my training and experience, I know that businesses will typically type their return labels; this label was hand written. Based on my training and experience, I know that the Phoenix, AZ area is a known source city for narcotics and that controlled substances are often sent from Phoenix, AZ to other destinations throughout the United States. My training and experience further teaches that drug trafficker will often use U. S. Express Mail to distribute controlled substances because of overnight delivery with tracking capabilities.
4. On May 10, 2006, Inspector Stephen Mathews, Birmingham, AL who received the parcel

from Phoenix, AZ Inspectors and requested my assistance with the Express Mail parcel for delivery to the afore-mentioned address. The parcel is further described as follows:

- a. Express Mail No.: ED 618075031 US
- b. Mailing Date: May 9, 2006
- c. Addressed to: Traphouse Ent.
1226 Adams Ave.
Montgomery, AL 36104
- d. Return Address: Darius Woods
11285 W. McKinley
Avondale, AZ 85323
- e. Class of Mail: Express Mail
- f. Postage Affixed: \$35.25
- g. Size: Approx. 19 1/2" X 9" X 7"
- h. Weight: Approx. 6 lbs 9.5 oz.
- i. Wrapping: One cardboard box with brown wrapping paper

(JBT)

May 10, 2006

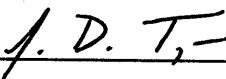
5. On ~~August 20, 2004~~, trained narcotics dog handler Butch Boackle and his narcotics detector dog "Tank" conducted an exterior inspection of the above-described package, the dog alerted, indicating the package contained the scent of controlled substances. At this time, Inspector Mathews took possession of the parcel. Inspector Mathews turned the package over to Inspector Tyrone Aaron, Birmingham, AL who transported it to me in the Middle District of Alabama.

6. I have been advised of the qualifications of the dog handler and his narcotics detector dog, which is more fully described in Attachment "A", which is filed in conjunction herewith and incorporated by reference herein.

7. Based on my training and experience and the facts set forth in this affidavit, I submit there is probable cause to believe that controlled substances are being concealed in the afore-mentioned mail article which is described in paragraph 4, and seeks the issuance of a search warrant directing the search of said


package, the seizure of said mail article, any controlled substance(s) contained therein, and any enclosed materials relating to the distribution of controlled substances.

8. The package has been maintained unopened in the custody of U. S. Postal Inspectors pending application for a search warrant.



J. D. Tynan
United States Postal Inspector

Sworn to and subscribed before me this
10th day of May, 2006, at
Montgomery, AL.



Susan Russ Walker
United States Magistrate Judge

ATTACHMENT A

"TANK" IS A MALE LABRADOR RETRIEVER, DATE OF BIRTH: 9-18-02, AND HAS BEEN WORKING AS A NARCOTICS DETECTOR DOG SINCE JANUARY 2004. HE WAS RECERTIFIED BY OFFICER JOHN MASSEY AND OFFICER GREGORY COLEMAN IN FEBRUARY 2004. BOTH OFFICERS ARE CERTIFIED INSTRUCTORS FOR THE CANINE LAW ENFORCEMENT OFFICERS TRAINING CENTER LOCATED IN TUSCALOOSA, AL. "TANK" IS CERTIFIED TO DETECT MARIJUANA, COCAINE, OPIATES, AMPHETAMINES, AND ANY DERIVATIVES THEREOF. HE HAS SUCCESSFULLY ALERTED IN EXCESS OF 100 TIMES.

OFFICER BUTCH BOACKLE HAS BEEN A CANINE OFFICER WITH THE BIRMINGHAM POLICE DEPARTMENT SINCE OCTOBER 1982 AND A LAW ENFORCEMENT OFFICER SINCE NOVEMBER 1972. HE HAS WORKED A NARCOTICS DETECTOR DOG SINCE SEPTEMBER 1988, AND HAS WORKED SPECIFICALLY WITH "TANK" SINCE JANUARY 2004.